



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,553	07/10/2003	Qi Bi	67,108-015;Bi 29-18-2-5	2811
26096 7590 09/24/2007 CARLSON, GASKEY & OLDS, P.C. 400 WEST MAPLE ROAD SUITE 350 BIRMINGHAM, MI 48009			EXAMINER CUMMING, WILLIAM D	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 09/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/616,553

Applicant(s)

BI ET AL.

Examiner

WILLIAM D. CUMMING

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 7-9, 11 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-9, 11, 13-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-3, 5, 7, 8, 9, 11, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admission of the prior art in view of **Amin**.

Applicant admits that allocating a temporary user identification code to the user when a session with the wireless data network is open, wherein the temporary user identification code is de-allocated when the session is closed is prior art and not invented by him (page 1 of the specification). **Amin** teaches the well known steps of associating a user identification code with a service class and servicing a user according to the service class associated with the user identification code (note previous Office actions) for the same purpose as Applicant and it is also noted from Applicant's specification that the invention also uses a permanent user identification codes (page 3) same as Amin. Hence, it

would have been obvious for one of ordinary skill in the art at the time the claimed invention was made to incorporate the use of the particular know technique of the well known steps of associating a user identification code with a service class and servicing a user according to the service class associated with the user identification code, as taught by **Amin**, in the admitted prior art in order to allow the network to distinguish among different users and link a given user with the corresponding level of service.

The invention is also obvious for the following reasons and to traverse fully this rejection Applicants **MUST** address the above reason and all and each the following reasons:

- i. The invention would have been obvious because a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art. KSR INTERNATIONAL CO. v. TELEFLEX INC. 82 USPQ2d 1385.
- ii. All the invention steps were known in the prior art and one skilled in the art could have combined the steps as claimed by known methods with no change in their respective functions, and the combination would yielded predictable results to one of ordinary skill in the art at the time of the invention. KSR INTERNATIONAL CO. v. TELEFLEX INC. 82 USPQ2d 1385.
- iii. The invention would have been obvious because the technique for improving a particular method was part of the ordinary capabilities of a person of ordinary skill in the art, in view of the teaching of the technique

for improving in other situations. KSR INTERNATIONAL CO. v. TELEFLEX INC.

82 USPQ2d 1385.

4. Claims 1-3, 5, 7, 8, 9, 11, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Furuya, et al.**

Furuya, et al discloses steps of associating a user identification code with a service class and servicing a user according to the service class associated with the user identification code (figure 6). **Furuya, et al** does not disclose a temporary user identification code to the user when a session with the wireless data network is open, wherein the temporary user identification code is de-allocated when the session. The Examiner takes Official Notice that a temporary user identification code to the user when a session with the wireless data network is open, wherein the temporary user identification code is de-allocated when the session is old and well known in the art. Applicant admits that allocating a temporary user identification code to the user when a session with the wireless data network is open, wherein the temporary user identification code is de-allocated when the session is closed is prior art and not invented by him (page 1 of the specification). Hence, it would have been very obvious to one of ordinary skill in the art at the time the claimed invention was made to incorporate the old, well know, and admitted a temporary user identification code to the user when a session with the wireless data network is open, wherein the temporary user identification code is de-allocated when the session in the method of

Furuya, et al, in order to provide the well know purpose of network security and resource management.

The invention is also obvious for the following reasons and to traverse fully this rejection Applicants **MUST** address the above reason and all and each the following reasons:

i) The invention would have been obvious because a particular known technique was recognized as part of the ordinary capabilities of one skilled in the art. KSR INTERNATIONAL CO. v. TELEFLEX INC. 82 USPQ2d 1385.

ii) All the invention steps were known in the prior art and one skilled in the art could have combined the steps as claimed by known methods with no change in their respective functions, and the combination would yielded predictable results to one of ordinary skill in the art at the time of the invention. KSR INTERNATIONAL CO. v. TELEFLEX INC. 82 USPQ2d 1385.

Response to Arguments

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

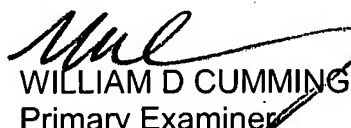
8. If applicant wishes to request for an interview, an "*Applicant Initiated Interview Request*" form (PTOL-413A) should be submitted to the examiner prior to the interview in order to permit the examiner to prepare in advance for the interview and to focus on the issues to be discussed. This form should identify the participants of the interview, the proposed date of the interview, whether the interview will be personal, telephonic, or video conference, and should include a brief description of the issues to be discussed. A copy of the completed "*Applicant Initiated Interview Request*" form should be attached to the Interview Summary form, PTOL-413 at the completion of the interview and a copy should be given to applicant or applicant's representative.

9. If applicants request an interview after this **final rejection**, prior to the interview, the intended purpose and content of the interview should be presented briefly, in writing. Such an interview may be granted if the examiner is convinced that disposal or clarification for appeal may be accomplished with only nominal further consideration. Interviews merely to **restate arguments** of record or to **discuss new limitations** which would require more than nominal reconsideration or new search will be denied.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **WILLIAM D. CUMMING** whose telephone number is **571-272-7861**. The examiner can normally be reached on Monday-Thursday, 11:00am-8:00pm.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


WILLIAM D CUMMING
Primary Examiner
Art Unit 2617



UNITED STATES
PATENT AND
TRADEMARK OFFICE

William Cumming
Primary Patent Examiner
william.cumming@uspto.gov